

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**ANTHONY KINDER,**  
**Plaintiff,**

**v.**

**READING POLICE OFFICER  
HECTOR MARINEZ ,**  
**Defendant.**

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**No. 19-cv-2692**

**ORDER**

AND NOW, this 23<sup>rd</sup> day of October, 2019, it is hereby Ordered that:

1. Paragraph 6 of the Court's Order entered on July 2, 2019 (ECF No. 7), staying Plaintiff Anthony Kinder's claim against Defendant Reading Police Officer Hector Marinez, is **VACATED**.

2. For the reasons stated in the accompanying Memorandum, the Complaint of Plaintiff Anthony Kinder is **DISMISSED WITHOUT PREJUDICE** as to Defendant Reading Police Officer Hector Marinez.

3. Kinder is **GRANTED** leave to file a new case raising his malicious prosecution claim only in the event his conviction is reversed, vacated, or otherwise invalidated.

4. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**

/s/ Joseph F. Leeson, Jr.

**JOSEPH F. LEESON, JR.**  
**United States District Judge**